

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ADRIAN K. THOMAS,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:19-CV-436-MHT-SMD
)	
GOVERNOR STATE OF ALABAMA,)	
)	
Defendant.)	

RECOMMENDATION OF THE MAGISTRATE JUDGE

On June 21, 2019, *pro se* Plaintiff, Adrian Thomas, filed this 42 U.S.C. § 1983 suit against the Governor of the State of Alabama. (Doc. 1). Plaintiff also filed a Motion to Proceed *in forma pauperis*. (Doc. 2). On July 18, 2019, the undersigned United States Magistrate Judge denied (Doc. 5) Plaintiff's Motion to Proceed *in forma pauperis* directed plaintiff to pay the requisite filing fee on or before August 1, 2019. *Id.* at 2. Plaintiff was specifically warned that **"if he fails to pay the requisite fee, this cause may be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b) or under the court's inherent authority."** *Id.* (emphasis in the original).

Plaintiff has not paid the filing fee and the deadline for doing so has passed. Accordingly, it is the RECOMMENDATION of the Magistrate Judge that Plaintiff's Complaint (Doc. 1) be DISMISSED for failure to prosecute and abide by orders of the Court. Further, it is

ORDERED that Plaintiff is DIRECTED to file any objections to the said Recommendation **on or before August 19, 2019**. Plaintiff must specifically identify the factual findings and legal conclusions in the Recommendation to which objection is made; frivolous, conclusive, or general objections will not be considered. Failure to file written objections to the Magistrate Judge's

findings and recommendations in accordance with the provisions of 28 U.S.C. § 636(b)(1) shall bar Plaintiff from a de novo determination by the District Court of legal and factual issues covered in the Recommendation and waives the right of the party to challenge on appeal the district court's order based on unobjected-to factual and legal conclusions accepted or adopted by the District Court except upon grounds of plain error or manifest injustice. *Nettles v. Wainwright*, 677 F.2d 404 (5th Cir. 1982); 11th Cir. R. 3-1; *see Stein v. Lanning Securities, Inc.*, 667 F.2d 33 (11th Cir. 1982); *see also Bonner v. City of Prichard*, 661 F.2d 1206 (11th Cir. 1981) (en banc). Plaintiff is advised that this Recommendation is not a final order of the Court and, therefore, it is not appealable.

Done this 5th day of August, 2019.

/s/ Stephen M. Doyle
UNITED STATES MAGISTRATE JUDGE